

HOUSE No. 849

By Mr. Fagan of Taunton, petition of James H. Fagan relative to the revision or revocation of certain criminal sentences. The Judiciary.

The Commonwealth of Massachusetts

In the Year Two Thousand and Five.

AN ACT RELATIVE TO REVISION OR REVOCATION OF CRIMINAL SENTENCES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 279 of the General Laws, as appearing in the 2002
2 Official Edition, is hereby amended by inserting after section 4B
3 the following section:—
4 Section 4C. The trial judge, in a district or superior court, upon
5 his own motion or the written motion of a defendant filed within
6 twenty-four months after the imposition of the sentence, within
7 twenty-four months after receipt by the trial court of a rescript
8 issued upon affirmance of the judgment or dismissal of the appeal,
9 or within twenty-four months after entry of any order or judgment
10 of an appellate court denying review of, or having the effect of
11 upholding a judgment of conviction, may, upon such terms and
12 conditions as he shall order, revise or revoke such sentence if it
13 appears that justice may not have been done.